

SENATE BILL 992

By Gardenhire

AN ACT to amend Tennessee Code Annotated, Title 3, Chapter 7 and Title 9, Chapter 4, relative to economic impact of changes to periods of imprisonment in government facilities.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 9-4-210, is amended by deleting the section and substituting instead the following:

(a)

(1) For any law enacted after January 1, 2022, which results in a net increase in periods of imprisonment in state facilities, there must be appropriated from recurring revenues the estimated operating cost of the law.

(2) Appropriations made under subdivision (a)(1) must be placed in a reserve to be used only for the following purposes:

(A) Cancellation of bonds authorized but not yet sold; and

(B) Capital outlay for the department of correction.

(3) Any law enacted without the funding required by subdivision (a)(1) is null and void unless such funding is appropriated in the general appropriations act.

(b) For any law enacted after January 1, 2022, which results in a net decrease in periods of imprisonment in state facilities, the appropriations to the reserve in subsection (a) shall be decreased by the estimated amounts annually that account for the estimated decrease in operating cost of the law.

(c) The amount of appropriations made under this section must be equal to the amounts reflected in fiscal notes prepared by the staff of the fiscal review committee. For purposes of this section, cost increases or savings must be estimated based on the operating cost, in current dollars, of the highest of the next ten (10) fiscal years commencing after July 1, 2021, amortized over a ten-year period beginning on the effective date of the law.

(d) For purposes of this section:

(1) "Operating costs" means all variable costs of housing inmates in state facilities, or local facilities pursuant to title 41, chapter 8, other than capital outlay costs and does not include any set costs for housing inmates in state or local facilities; and

(2) "Periods of imprisonment in state facilities" includes inmates housed by the state in local facilities pursuant to title 41, chapter 8.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.